

**Sonos, Inc.’s Opp’n to Google LLC’s
Motion *In Limine* No. 1**

EXHIBIT G

1 UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA
3 SONOS, INC.,
4 Plaintiff,
5 vs. Case No. 3:21-CV-07559-WHA
6 GOOGLE LLC
7 Defendant.

8 -AND-

9 GOOGLE LLC,
10 Plaintiff,
11 vs. Case No. 3:20-CV-06754-WHA
12 SONOS, INC.,
13 Defendant.

14 **CONFIDENTIAL - ATTORNEYS' EYES ONLY**

15 ZOOM DEPOSITION OF JAMES E. MALACKOWSKI
16 (Reported Remotely via Video & Web Videoconference)
17 Miami, Florida (Deponent's location)

18 Monday, January 30, 2022

19 Volume 1

20 STENOGRAPHICALLY REPORTED BY:
21 REBECCA L. ROMANO, RPR, CSR, CCR
California CSR No. 12546
22 Nevada CCR No. 827
Oregon CSR No. 20-0466
23 Washington CCR No. 3491
24 JOB NO. 5686085
25 PAGES 1 - 297

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1 this technology into its products" -- that -- 04:04:51
2 that's referring specifically to the hypothetical
3 negotiation under Georgia-Pacific whereby Sonos
4 would convey a bare patent license to Google?

A. Correct. It would be Google, if you want
to implement this technology, you need to have a
license to this patent. You need to pay a fee. We
know the value of such permission, because we can
look under GP12 to market indicators of what that
is worth.

Q. Although the -- the offerings of a third-party company IFTTT actually provides software, right, not just a bare patent license, correct?

A. It does. We talked about before lunch
the consideration of that and that the
implementation cost of the software is de minimis,
according to Mr. Bakewell, and so the revenue would
represent the -- essentially the value.

20 And the custom and practice of this 04:05:55
21 industry and this licensee is to share on a revenue
22 basis. So all of that's factored into the very
23 specific facts of this case.

24 Q. Would -- would the implementation cost of
25 the software to practice the '966 and the '885 have 04:06:15

1 I, Rebecca L. Romano, a Certified Shorthand
2 Reporter of the State of California, do hereby
3 certify:

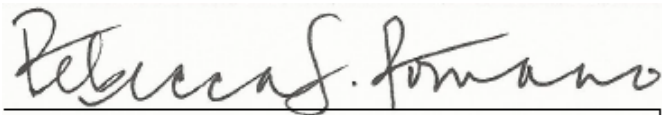
4 That the foregoing proceedings were taken
5 before me remotely at the time and place herein set
6 forth; that any deponents in the foregoing
7 proceedings, prior to testifying, were administered
8 an oath; that a record of the proceedings was made
9 by me using machine shorthand which was thereafter
10 transcribed under my direction; that the foregoing
11 transcript is true record of the testimony given.

12 Further, that if the foregoing pertains to the
13 original transcript of a deposition in a Federal
14 Case, before completion of the proceedings, review
15 of the transcript [] was [X] was not requested.

16 I further certify I am neither financially
17 interested in the action nor a relative or employee
18 of any attorney or any party to this action.

19 IN WITNESS WHEREOF, I have this date
20 subscribed my name.

21 Dated: February 2, 2023

22
23 
24

Rebecca L. Romano, RPR, CCR

25 CSR. No 12546